

NATIONAL SECOMPATABOROS

FORT GEORGE G. MEADE, MARYLAND 20785-6000

15 March 2010

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U/FOUO) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//FOUO) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 31 December 2009 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333.

(U//FOUO) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

GEORGE MLLARD
Inspector General

PATRICK J. REYNOLDS

Acting General Counsel

(U//FOUO). I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER Lieutenant General, U. S. Army Director, NSA/Chief, CSS

Encl:

Quarterly Report

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Approved for Release by NSA on 12-22-2014, FOIA Case # 70809 (Litigation)

TOP SECRET//COMINT//NOFORN

| | that violate law, regulation, or policy substantiated during the quarter, as well as actions taken as a result of the violations |
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| | (U) Intelligence Activities |
| | This quarter there were instances in which Signals Intelligence (SIGINT) analysts inadvertently targeted or collected communications to, from, or about U.S. persons while pursuing foreign intelligence tasking. All intercepts and reports have been deleted or destroyed as required by United States SIGINT Directive (USSID) SP0018. |
| (b)(3)-P.L. 86 | Travel to the United States (b)(1) |
| | (b)(3)-P.L. 86-36 |
| • | (TS//SI//REL TO USA, FVEY) On, an NSA analyst performed a query on a selector belonging to a foreign intelligence target who traveled to the United States during |
| | one selector was |
| | overlooked and remained tasked until The query results were deleted on and no reporting was issued. |
| | (U) Targeting |
| | (TS//SI//NF) While scanning collection on a SIGINT analyst found indications that a target, who was believed to be a valid foreign target, resided in the United States. The analyst detasked the related selectors that same day and no reports were issued. However, related collection was not deleted from the SIGINT database until because the analyst did not understand that in addition to marking the collection for deletion in the database, |
| | |
| | (B)(1) |
| | |
| | (U) Database Queries |
| | -(TS//SI//REL TO USA, FVEY) On occasions, analysts constructed poor database queries this (b)(1) targeted U.S. persons, and on of those occasions, the queries returned results from the |
| | targeted U.S. persons, and on of those occasions, the queries returned results from the |

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| databas | se. The returned results from the overly broad or incomplete queries were deleted, and no |
|---|---|
| reports | were issued. Procedural errors contributed to of the violations. (b)(1) (b)(3)-P.L. 86-36 |
| Si | (TS//SI//REL TO USA, FVEY) an NSA analyst performed a |
| | did not research before submitting the query. No results were returned |
| | from the query. |
| | (TS//SI//REL TO USA, FVEY) while performing an audit of an |
| b)(1) b)(3)-P.L. 86-36 | NSA collection database, a SIGINT analyst discovered a query on a U.S. mobile |
| b)(3)-50 USC 3024(i | telephone selector. The analyst who submitted the query had received the selector from a The analyst did not perform research |
| | on the number, because he did not believe that U.S. numbers |
| | A was implemented to prevent the display of U.S. numbers |
| | |
| 62 | (TS//SI//REL TO USA, FVEY) an NSA analyst discovered that a |
| | tasked selector that was believed to be an alternate selector of a valid foreign intelligence target belonged to a U.S. person. |
| | |
| o)(1) o)(3)-P.L. 86-36 | Upon |
| o)(3)-18 USC 798 | receiving verification, the analyst canceled all queries using the selector and deleted the query results. The selector was detasked |
| o)(3)-50 USC 3024(i) | (D)(3)-P.L. 80-30 (b)(3)-18 LISC 708 |
| (b)(1) | (IS/SI/NF) In response to a customer's request, a SIGINT analyst performed a search on using an e-mail selector of a target who might be located in the |
| (b)(3)-P.L. 86-36 | United States. While reviewing the query results, the analyst noticed |
| | The analyst realized that he had misunderstood the request from |
| | States: hits were returned |
| | from the query of the raw SIGINT database. The queries and results were deleted and no |
| | information was disseminated. (b)(3)-P.L. 86-36 |
| a - | (S//SI//REL TO USA, FVEY) an NSA analyst performed a query |
| b)(1) | to retrieve statistical information about his |
| b)(3)-P.L. 86-36 b)(3)-50 USC 3024(i | The queries returned results. The analyst was counseled by an Intelligence Oversight representative. |
| | TTC//CI//DEL TO LICA FLIESD A 1 |
| | (TS//SI//REL TO USA, FVEY) A selector remained tasked during a target's visit to the United States. On an NSA analyst submitted a query covering the |
| | period from (b)(1) |
| (b)(1) (b)(3)-P.L. 86-36 | (b)(3)-P.L. 86-36 On (b)(3)-18 USC 79 |
| (-)(-) | the same day the query was submitted, the analyst remembered that the target had been in the United States in and deleted the query results. |
| | No reports were issued. |

| . 96 | an analyst failed to notice a |
|-----------------|--|
| | U.S. selector among a list of foreign selectors before submitting a query |
| | the analyst realized that the query contained a U.S. selector, and the query results |
| | were deleted. No reports were issued. |
| | |
| | (TS//SI//REL TO USA, FVEY) On, an NSA analyst submitted a(b)(1) |
| | query associated with a target that was in the United States during a portion of the (b)(3)-P.L. 86-36 |
| | arrowed times manied The |
| | |
| | the typographical error, the query included when the |
| | |
| | realized his mistake and deleted the results. No reports were issued. |
| | realized his histake and defeted the festilis. No reports were issued, |
| a' | |
| | (TS//SI//NF) an analyst discovered that on (b)(1) |
| | branch analysts attempting to respond to a customer request for information had (b)(3)-P.L. 86-36 |
| | improperly targeted the foreign telephone number of a U.S. person. Management |
| | instructed analysts to obtain target details before responding to future customer requests. |
| | Targeting of the U.S. person's telephone number was subsequently approved by court |
| | order. |
| | (TOUGH)DEL TO LIGA TY TOY O |
| 866 | (TS//SI//REL TO USA, FVEY) an NSA analyst (b)(1) |
| | before submitting a query. By doing so, the (b)(3)-P.L. 86-36 analyst created an overly broad query that inadvertently included (b)-50 USC 3024(i) |
| | Journal of the fact of the fac |
| | the analyst recognized the mistake and deleted query results; |
| | no reports were issued. The analyst was counseled not to submit questionable queries |
| | |
| | |
| | (S//SI//REL TO USA, FVEY) due to human error, an NSA analyst |
| | performed a query using the of NSA personnel. The error (b)(3)-P.L. 86-36 |
| | occurred because the analyst put the in the wrong field in the database. |
| X(1) | No data was collected. |
|)(3)-P.L. 86-36 | |
| | while doing research related to a |
| | foreign target, an analyst submitted queries containing a selector associated with a |
| | U.S. entity. The analyst was instructed to delete the queries |
| | which were found during a routine audit, and to no longer submit queries on this selector. |
| | The analyst deleted the query upon return from holiday leave. No |
| | collection or reporting resulted from the query. |
| \ \ \ | |
| E | (TS//SI//REL TO USA, FVEY) an NSA analyst submitted a |
| | query without including the selector of a valid foreign intelligence target and using only |
| \ | the dates of activity between The error occurred because the |
| | analyst was unfamiliar with a new database interface and incorrectly filled out the query |
| | form. The analyst did not view any of the results before deleting them on |
| | form. The analyst did not view any of theresults before deleting them on |
| | |

| | (U) Detasking Delays (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) |
|------------|--|
| | (TS//SI//REL TO USA, FVEY an NSA analyst discovered that the |
| | selector of a U.S. person, |
| | The selector had been detasked |
| | upon discovery that the selector a U.S. person. (b)(1) |
| (1) | (b)(3)-P.L. 86-36 |
| (3)-P.L. 8 | The state of the s |
| | (TS//SI//REL TO USA, FVEY) an NSA analyst discovered that a (b)(3)-50 USC 3024(i) |
| | telephone number tasked was a U.S. number incorrectly identified as a |
| | foreign number. The error was not identified until during a routine check of |
| | tasked telephone numbers. Intercept was deleted and the selector was detasked. Team members |
| | were reminded to research all new selectors before tasking. |
| | |
| | (TS//SI//NF) NSA analysts learned on that they had inadvertently targeted a |
| | U.S. person beyond the consensual collection agreement |
| | expiration dateselectors was detasked on when the U.S. person |
| | signed a new consensual collection agreement authorizing collection of |
| | previously approved selectors. The remaining selectors were detasked on |
| | after analysts learned that required paperwork had not been processed and the NSA |
| | Director had not approved the request. No collection was obtained from |
| | and no reports were produced. On consensual collection |
| | of selectors, for the period of |
| | and for continued collection from until |
| | (b)(1) (b)(3)-P.L. 86-36 |
| | ATTACA LIGHT LIPS TO YOUR ON A SECOND OF THE |
| | belonging to a fareign intelligence threat at a disconnection of the state of the s |
| | |
| | United States on The error occurred because the analysts did not understand the need to detask the target's selectors as soon as the target entered the United States. The |
| | torcotic tolombana and a sili 1 1 sili to |
| | detasked. No data was collected. |
| | |
| | (TS//SI//REL TO USA, FVEY) Dissemination of U.S. Identities |
| | The NSA Enterprise issued SIGINT product reports during this quarter. In those reports |
| | SIGINT analysts disseminated communications to, from, or about U.S. persons or entities on |
| | occasions while pursuing foreign intelligence tasking this quarter. A total of SIGINT |
| | products were cancelled as NSA analysts learned of the U.S. persons, |
| | organizations, or entities named in products without authorization. All data in the canceled |
| | reports was deleted as required and the reports were not reissued or were reissued with proper |
| | minimization. |
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| | (b)(1) |
| | (b)(3)-P.L. 86-36 |

| | <u>and the property of the prope</u> | |
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| (S//SI//REL TO USA, FVEY) | during a review of active customer | |
| requests, an analyst discovered that a FIS | SC order did not include a forest | |
| elephone numbers. Analysts had used to | he foreign telephone numbers as selectors during | |
| searches of NSA data without first reque | sting additional information to determine U.S. no | rson |
| status. No reporting resulted from this se | earch. Management instructed analysts to verify | |
| citizenship with customers before condu | cting any future searches. | |
| TS//SI/NF) Or separate occasions | NSA analysta malinal di | |
| and been querying on FISA-authorize | | it tney |
| The state of the s | | |
| queries. None of the unauthorized queri- | es produced results and all were stopped on | |
| | —————————————————————————————————————— |)(1))(3)-P.L. |
| | |)(3)-F.L.)(3)-50 L |
| (U) Detasking Delays | | ,(-), |
| (TS//SI//AT) an ar | | |
| (19/19/11/11) an ar | nalyst discovered that a selector authorized for co | llection |
| the analyst | determined that the selector was no longer used b | |
| foreign target | determined that the selector was no langer used h | si the |
| | | de la constant |
| | | <u> </u> |
| | | |
| | When | evealed |
| that the selector | , the analyst informed a colleague | that |
| the selector needed to be detasked | Each ar | alyst |
| believed that the other would detask the | | |
| No collection occurred. | he selector was detasked the same day, | , |
| | (L) (A) | - + / |
| No conection occurred. | (D)(1) | 1/ |
| | (b)(1) (b)(3)-P.L. 86-36 | |
| (TS//SI//NE) Business Records (BF | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 | |
| (TS//SI//NE) Business Records (BF | (b)(3)-P.L. 86-36 | |
| | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 | |
| (TS//SI//NE) Business Records (BF | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) | |
| (TS//SI//NE) Business Records (BF | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) | |
| (TS//SI//NE) Business Records (BF (U) Nothing to report. (TS//SI//NE) Pen Register/Trap and | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) | |
| (TS//SI//NE) Business Records (BF (U) Nothing to report. (TS//SI//NE) Pen Register/Trap and (TS//SI//NE) In Court Order PR/TT | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) Trace (PR/TT) Order and previous orders, the FISC authorized the | (b)(i |
| (TS//SI//NE) Business Records (BF (U) Nothing to report. (TS//SI//NE) Pen Register/Trap and (TS//SI//NE) In Court Order PR/TT installation and use of pen registers and | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) Trace (PR/TT) Order and previous orders, the FISC authorized the trap and trace devices as described in the government. | (b)(i |
| (TS//SI//NE) Business Records (BF) (U) Nothing to report. (TS//SI//NE) Pen Register/Trap and (TS//SI//NE) In Court Order PR/TT installation and use of pen registers and application to collect specific information | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) Trace (PR/TT) Order and previous orders, the FISC authorized the trap and trace devices as described in the government likely to identify the sources or destinations of | (b)(i |
| (TS//SI//NE) Business Records (BF) (U) Nothing to report. (TS//SI//NE) Pen Register/Trap and (TS//SI//NE) In Court Order PR/TT installation and use of pen registers and application to collect specific informations | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) Trace (PR/TT) Order and previous orders, the FISC authorized the trap and trace devices as described in the government likely to identify the sources or destinations of | (b)(i |
| (TS//SI//NE) Business Records (BF) (U) Nothing to report. (TS//SI//NE) Pen Register/Trap and (TS//SI//NE) In Court Order PR/TT installation and use of pen registers and application to collect specific information specified electronic communications of General Counsel learned that | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) Trace (PR/TT) Order and previous orders, the FISC authorized the trap and trace devices as described in the government likely to identify the sources or destinations of NSA? | (b)('(b)('s |
| (TS//SI//NF) Business Records (BF) (U) Nothing to report. (TS//SI//NF) Pen Register/Trap and (TS//SI//NF) In Court Order PR/TT installation and use of pen registers and application to collect specific informations of General Counsel learned that not specifically authorized to the control of the control of the counsel learned that | (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) Trace (PR/TT) Order and previous orders, the FISC authorized the trap and trace devices as described in the government likely to identify the sources or destinations of NSA's | (b)(i |

| matter was resolved and with the court's express approval to resume receipt of specified communications and to resume its previous operational practices. The order expired (b)(3)-P.L. 86-36 Data in NSA's possession was quarantined and collection ceased. |
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| (U) The Protect America Act (PAA) |
| (U) Nothing to report. |
| (U) The FISA Amendment Act (FAA) |
| (U) Section 702 |
| (U) Unauthorized Targeting |
| (S//SI//REL TO USA, FVEY) On separate occasions on NSA analysts tasked selectors belonging to foreign intelligence targets before the selectors were approved for tasking. In each instance, NSA analysts submitted the selectors for tasking and approved the routing of collection to other Intelligence Community customers before the selectors were approved for tasking. The selectors did not meet FAA requirements for tasking and were not approved. All selectors were detasked on at a uninstances, no data was collected, and data collected in the instance was purged from NSA's principal raw traffic repositories (b)(1) |
| NSA discovered that a selector had been tasked under PAA authority since The selector was detasked and the analyst was informed that tasking of was not allowed under FAA, because it was not possible to confirm that were neither U.S. persons nor were located outside the United States. (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) |
| an NSA analyst neglected to detask the e-mail selector belonging to a foreign intelligence target who traveled to the United States on (b)(1) the United States, the analyst detasked (b)(3)-P.L. 8 The analyst did not review collection from the e-mail selector during the time the target was in the United States. |
| (S//SI//REL TO USA, FVEY) data, an NSA analyst discovered that a tasked e-mail selector was associated with a U.S. person. After realizing the selector belonged to a U.S. person, the analyst detasked the selector and deleted the traffic (b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 |
| (S//SL//REL TO USA, FVEY) NSA analysts discovered that a selector had been incorrectly tasked under the Certification. The selector was detasked |
| (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) |

| (U) Tasking Error (b)(1) (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(0) (TS//SI/REL TO USA, FVEY) SIGINT analysts learned that targeting continued on a foreign target's selectors during the time the selector. At that time, the target and selectors was not reviewed, and the United States from when the new analyst tried to retask the selectors, he discovered that the United States from were missed. The data collected on the selector was purged from NSA's principal raw traffic repositories no the selector was purged from NSA's principal raw traffic repositories no the data collected on the selector was purged from NSA's principal raw traffic repositories no targets tasked under FAA ustomer not authorized to view unminimized FAA slGINT. In the instances, e-mail selectors associated with U.S. entities or persons were left unminimized in SIGINT reporting. All reports were either revised or reissued with proper minimization. (U) Section 704 (b)(1) (b)(3)-P.L. 86-36 (b)(3)-P.L. 86-36 (b)(3)-S0 USC 3024(i) (U) U.S. Person Status (TS//SU/NF) a SIGINT analyst mistakenly included date ranges not covered by a court order when chaining the selectors of a target authorized under FAA 704. The analyst queried the database for information dated but was only authorized to query from and from The analyst realized the mistake that same day while discussing query results with a senior analyst. Query results were deleted No reports were issued. (TS//SU/NF) an NSA analyst noted that had tasked a selector belonging to a U.S. person. (NSA learned that the target was a U.S. person. NSA could identify no reports related to the lasking. From NSA analysts identified additional tasked selector was removed NSA could identify no reports related to the lasking. From NSA analysts identified additional tasked selector was removed and no reports were detasked. | | ertification instead of the | been incorrectly tasked under the Certification. The |
|--|-----------------------------------|--|--|
| (U) Tasking Error (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) (TS//SI/REI, TO USA, FVEY) SIGINT analysts learned that targeting continued on a foreign target's selectors during the time the selector. The target had been assigned to a new analyst in the target and selectors were to be detasked; however, when the new analyst tried to retask the selectors, he discovered that the Collection from the United States from was not reviewed, and the United States from was not reviewed, and were missed. The data collected on the selector was purged from NSA's principal raw traffic repositories on the selector was purged from NSA's principal raw traffic repositories. (U) Dissemination (TS//SI/NF) On occasions NSA analysts forwarded unminimized FAA straffic on targets tasked under FAA of untimized to view unminimized FAA SIGINT. In the instances, e-mail selectors associated with U.S. entities or persons were left unminimized in SIGINT reporting. All reports were either revised or reissued with proper minimization. (U) Section 704 (D)(3)-P.L. 86-36 (D)(3)-P.L. 86-36 (D)(3)-P.L. 86-36 (D)(3)-P.L. 86-36 (D)(3)-SO USC 3024(i) (U) U.S. Person Status (TS//SI/NF) a SIGINT analyst mistakenly included date ranges not covered by a court order when chaining the selectors of a target authorized under FAA 704. The analyst queried the database for information dated but was only authorized to query from analyst queried the database for information dated humanistic was a property of the database for information dated humanistic was a selector belonging to a U.S. person. (NSA learned that the target was a U.S. person. (NSA learned that the target was a U.S. person. (NSA learned that the target was a U.S. person. (NSA could identify no reports related to the lasking. From NSA analysts identified additional tasked selectors associated with the initial target selector. These selectors were detasked from and no reports. | selectors were detasked | The second secon | 1110 |
| The target had been assigned to a new analyst however. At that time, the target and selectors were to be detasked; however, when the new analyst tried to retask the selectors, he discovered that the Collection from was not reviewed, and the United States from were missed. The data collected on the selector was purged from NSA's principal raw traffic repositories not the selector was purged from the data. (U) Dissemination (U) Dissemination (U) Dissemination (U) Dissemination (U) Section 701 (b)(1) (b)(3)-P.L. 86-36 (c)(3)-P.L. 86-36 (d)(3)-P.L. 86-36 (d)(3)-P.L. 86-36 (e)(3)-P.L. 86-36 (f)(3)-P.L. 86-36 (g)(3)-P.L. 86-36 (h)(3)-P.L. 86- | (U) Tasking Error | (b)(1) (b)(3)-P.L. 86-36 | (b)(3)-P.L. 86-36 |
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| At that time, the target and selectors were to be detasked; however, when the new analyst tried to retask the selectors, he discovered that the Collection from the United States from was not reviewed, and the United States from was not reviewed, and were missed. The data collected on the selector was purged from NSA's principal raw traffic repositories No reports were issued from the data. (U) Dissemination (U) Dissemination (TS://SU/NF) On occasions NSA analysts forwarded unminimized FAA pustomer not authorized to view unminimized FAA SIGINT. In the instances, e-mail selectors associated with U.S. entities or persons were left unminimized in SIGINT reporting. All reports were either revised or reissued with proper minimization. (U) Section 704 (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) (U) U.S. Person Status (TS://SU/NF) a SIGINT analyst mistakenly included date ranges not covered by a court order when chaining the selectors of a target authorized under FAA 704. The analyst queried the database for information dated but was only authorized to query from and from The analyst realized the mistake that same day while discussing query results with a senior analyst. Query results were deleted No reports were issued. (TS://SU/NF) an NSA analyst noted that had tasked a selector belonging to a U.S. person. (NSA learned that the target was a and obtained approval under FAA 704 to target the individual on tasking associated with this selector was removed NSA could identify no reports related to the tasking. From NSA analysts identified additional tasked selectors associated with the initial target selector. These selectors were detasked from and no reports | | | |
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| Collection from | when the new analyst tried | to retask the selectors, he discov | ered that the |
| on the selector was purged from NSA's principal raw traffic repositories [U) Dissemination [TS//SI//NIF] On occasions [TS//SI//NIF] In the occa | Collection from | W | |
| (U) Dissemination (TS://SI//NF) On occasions occasions traffic on targets tasked under FAA pustomer not authorized to view unminimized FAA SIGINT. In the instances, e-mail selectors associated with U.S. entities or persons were left unminimized in SIGINT reporting. All reports were either revised or reissued with proper minimization. (U) Section 704 (b)(1) (b)(3)-P.L. 86-36 (b)(3)-P.L. 86-36 (b)(3)-P.L. 86-36 (b)(3)-SO USC 3024(i) (U) U.S. Person Status a SIGINT analyst mistakenly included date ranges not covered by a court order when chaining the selectors of a target authorized under FAA 704. The analyst queried the database for information dated but was only authorized to query from and from The analyst realized the mistake that same day while discussing query results with a senior analyst. Query results were deleted No reports were issued. (TS://SI//NF) an NSA analyst noted that had tasked a selector belonging to a U.S. person. (NSA learned that the target was a U.S. person. and obtained approval under FAA 704 to target the individual on tasking associated with this selector was removed NSA analysts identified additional tasked selectors associated with the initial target selector. These selectors were detasked from and no reports | | | were missed. The data collected |
| (U) Dissemination (TS//SI//NF) On occasions NSA analysts forwarded unminimized FAA traffic on targets tasked under FAA ustomer not authorized to view unminimized FAA SIGINT. In the instances, e-mail selectors associated with U.S. entities or persons were left unminimized in SIGINT reporting. All reports were either revised or reissued with proper minimization. (U) Section 704 (b)(1) (b)(3)-P.L. 86-36 (b)(3)-P.L. 86-36 (b)(3)-S0 USC 3024(i) (U) U.S. Person Status (TS//SI//NF) a SIGINT analyst mistakenly included date ranges not covered by a court order when chaining the selectors of a target authorized under FAA 704. The analyst queried the database for information dated but was only authorized to query from and from The analyst realized the mistake that same day while discussing query results with a senior analyst. Query results were deleted No reports were issued. (TS//SI//NF) an NSA analyst noted that had tasked a selector belonging to a U.S. person. (NSA learned that the target was a und obtained approval under FAA 704 to target the individual on tasking associated with this selector was removed NSA could identify no reports related to the analyst identified additional tasked selectors associated with the initial target selector. These selectors were detasked from and no reports | on the selector was purged | from NSA's principal raw traffic | repositories |
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| (U) U.S. Person Status (E)(3)-P.L. 86-36 (D)(3)-P.L. 86-36 (D)(3)-F.L. 86-36 (D)(3) | were either revised or reiss | ued with proper minimization. | ., 194., Zaří – † – – |
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| The analyst realized the mistake that same day while discussing query results with a senior analyst. Query results were deleted | analyst queried the databas | se for information dated | |
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| NSA could identify no reports related to the tasking. From NSA analysts identified additional tasked selectors associated with the initial target selector. These selectors were detasked from and no reports | had tasked a selec | tor belonging to a U.S. person. (| NSA learned that the target was a |
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| target selector. These selectors were detasked from | NSA could identify | no reports related to the | tasking From |
| target selector. These selectors were detasked from | | llysts identified additional tasked | selectors associated with the initial |
| were issued | NSA ana | | |
| | target selector. These select | ctors were detasked from | and no reports |

| (S//SI//REL TO USA, FVEY) a SIGINT analyst discovered a sele | ector |
|--|--|
| identified as belonging to a U.S. person but believed to be foreign when tasking first oc | curred. |
| The problem occurred because detasking was not completed as requested | |
| the selector was detasked. | |
| | |
| (U) Section 705b | |
| (0)(!) | |
| (U) Unauthorized Targeting (b)(3)-P.L. 86-36 | |
| (o) ondumonada rangonnig | |
| (TC UCYLATEN | |
| in response to a request from senior managers, an in response to a request from senior managers, and | NSA |
| analyst queried a raw SIGINT database using U.S. person-associated selectors not auth | orized |
| under FAA. The analyst conducted the search because | (b)(3)-P.L. 86-36 |
| The analyst also believed that the | The same of the sa |
| | |
| The anal | vst was |
| | |
| whenever a U.S. person is involved. The query produced no results and no reports were | e issued |
| | |
| (U) Database Queries | /(b)(1) |
| | (b)(3)-P.L. 86-36 |
| (S//SI//REL TO USA, FVEY] an analyst who did not have prop | (b)(3)-50 USC 3024(i) |
| authority queried a raw SIGINT database with a selector associated with a U.S. person | A |
| same time the analyst queried the database with a selection associated with a U.S. person | . At the |
| same time, the analyst queried the database using a FISC-approved selector (authorized FAA Section 705b) | 1 under |
| · / / / / / / / / / / / / / / / / / / / | |
| The analy | st deleted |
| query results and was counseled on targeting U.S. persons without proper authority and | d on |
| database restrictions. All e-mails and copies of the e-mails were deleted or destroyed by | y \ |
| (b)(1) | |
| (b)(3)-P.L. 86-36 | |
| (S//SI//REL TO USA, FVEY) a SIGINT analyst queried a raw | SIGINT |
| database with a selector belonging to a U.S. person whom the analyst had mistakenly i | dentified |
| as being foreign. The analyst, researching a selector associated with a target authorize | d under |
| FAA 705b, transposed two numbers | |
| , the analyst qu | eried the |
| raw SIGINT database using the selector, because he assumed that the selector did not | pelong to a |
| U.S. person. When viewing query results the same day, the analyst recognized the mis- | stake and |
| deleted the results. No reports were issued. | The state of the s |
| | |
| (U) Other | |
| | |
| (U) Unauthorized Access (b)(1) | |
| (b)(3)-P.L. | 86-36 |
| (CI) | |
| (S//REL TO USA, FVEY) it was discovered that two NSA analy | sts |
| without proper approval had been reporting on FAA-authorized data. Although the an | alysts had |
| planned to obtain the proper clearance, one had been reporting on FAA and PAA mate | rial for |
| almost three months, the other for ten days. The analysts ceased FAA-related activitie | s and |
| received appropriate training and the required approval the following day. Management | |

| | reminded personnel of their responsibilities under the FAA, established procedures for exchanging FAA material between approved personnel using properly labeled e-mail, and restricted FAA data. |
|-------------|---|
| | (U//FOUO) an NSA database account manager determined that an individual was mistakenly given access to a database without having the proper approval, and promptly removed the individual's access. No disseminations occurred during the period of unauthorized access. |
| | was mistakenly given access to a database without having the proper approval. The account manager provided access based on a verbal confirmation that the analyst had authorized access. The analyst had unauthorized access for one month and the access was removed that day. No dissemination occurred during the period of unauthorized access. |
| | (S//REL TO USA, FVEY) Problems with access control procedures were discovered during a review of an NSA database. In instances, individuals' accesses (b)(1) exceeded their authorizations. individuals were given access to data when (b)(3)-P.L. 86-36 their current mission was not approved for it. individuals were granted access to the database without completing the necessary training. An individual continued to have access to data during the time that his access to data had been terminated; this occurred when he left one site and new accesses were pending at the new site. Another individual was granted access to FISA data at a site that was not approved for access. All accounts have been updated to grant access to authorized data only or terminate access as appropriate. |
| | an NSA supervisor was found to have had unauthorized access to a database for four months without having a current USSID SP0018 briefing. Part of the standard operating procedures is to check for a valid USSID SP0018 briefing before granting access. an analyst with administrative privileges created an account for his supervisor without submitting the required formal request. the NSA supervisor completed the required USSID SP0018 training. |
| (3)-P.L. 86 | an NSA analyst training for deployment was inadvertently given unauthorized database access. Upon notification, the analyst's access was terminated. Team members were counseled on the importance of verifying access for those who are in training and need database sponsorship |
| | a random check on personnel listed as database auditors revealed that personnel were no longer at the Agency. Database administrators were notified to remove the personnel listed as auditors for their respective databases. The action forced those being audited to identify new auditors or lose their respective database accesses. |
| | (S//REL TO USA, FVEY) An NSA analyst failed to terminate access to his database account prior to his deployment the analyst accessed the account; he was returning to the same team following the deployment and did not realize that his access should have been terminated. |
| | (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) |

| database access during his deployment. The NSA deployer was missing information necessary to be properly re-sponsored and was told how to fix the problem. The deployer failed to take action immediately and the deployer's new organization was unable to re-sponsor him. Believing he was using his new organization's accounts, the deployer accessed his old accounts during this time. The deployer's access was corrected and he was provided the correct sponsorship. |
|---|
| access to databases. The deployer failed to check out with the sponsor prior to deployment and as a result, databases were not reassigned to the proper sponsor. The deployer was counseled on upon returning from leave. |
| (U// FOUO) (b)(3)-P.L. 86-36 |
| deployed without notifying the senior database sponsor of the need to transfer |
| sponsorship for specified databases. the incident was discovered when |
| the deployer requested specific access. the individual was re- |
| sponsored. |
| (b)(1) (U) Computer Network Exploitation (CNE) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) |
| (TS//SI/NF) (u)(5)-50 05C 5024(i) |
| |
| (TS//SI//NF) |
| |
| (U) Dissemination |
| a SIGINT analyst forwarded an e-mail containing a U.S. identity without considering USSID SP0018 implications. The e-mail was recalled, and the customer was asked to destroy any copies of the information. |
| (U) Counterintelligence Activities |
| (U) Nothing to report. |
| (b)(3)-P.L. 86-36 |

| (U) Intelligence-related Activities |
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| | (S//SI//NF) To reduce the risk of unauthorized telephony collection and prevent violations, NSA instituted a process that gives analysts greater and faster insight into a target's location. | [|
|------------------------|---|----------|
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| | Franka instance 1 11 ii |] |
| 5)(1) 5)(3)-P.L. 86 | in the instances when collection occurred, it 3-36was purged from NSA's principal raw traffic repositories when required. (b)(1) | |
| o)(3)-50 US | C 3024(f) (b)(3)-P1 | |
| | (13//BI//NT) | JSC 3024 |
| | NSA analysts found e-mail selectors | |
| | | |
| | this quarter. When collection did occur, it was purged from NSA's principal raw traffic repositories when required. | |
| | (U// FOUO) Although not violations of E.O. 12333 and related directives, NSA/CSS reports three instances in which database access was not terminated when access was no longer required. Once identified, the accesses were terminated. In addition, there was one instance of account sharing. | |
| | 2. (U) NSA Office of the Inspector General Intelligence Oversight Inspections, Investigations, and Special Studies | |
| | (U//FOUO) During this quarter, the OIG reviewed various intelligence activities of the NSA/CSS to determine whether they had been conducted in accordance with statutes, Executive Orders, Attorney General procedures, and Department of Defense and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities. | |
| | (U// FOUO) Queries not Reviewed | |
| | (FOUO) Due to a lack of trained personnel at a SIGINT site, it was discovered that individuals were not reviewing audits trails of raw SIGINT queries using an auditing tool. | |
| | account was subsequently suspended. NSA was not able to determine the volume of queries not reviewed during the period of | |
| | (U//FOUO) Misuse of the U.S. SIGINT System (USSS) | |
| | (U) Nothing to report. (b)(3)-P.L. 86 | 3-36 |

| | (U) Congressional, IOB, and DNI Notifications (b)(3)-P.L. 86-36 |
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| • | (TS//SI/NF) NSA notified the Congressional Oversight Committees of a possible violation of the FISC PR/TT Order referenced on page 5. A copy of the notification is enclosed. |
| | NSA notified the Congressional Oversight Committees of a potential breach of travel-related documents containing protected personal information. In travel-related documents containing protected personal information were placed in a public Microsoft Outlook folder accessible to any cleared NSA person with TS/SCI clearance and an NSA Outlook e-mail account. The documents contained NSA and (b)(3)-P.L. 86-36 Request and Travel Authorization (RTA) reports and travel-related direct deposit forms. The documents have been removed and are no longer publicly accessible. A copy of the notification is enclosed. |
| | 3. (U) Substantive changes to the NSA/CSS Intelligence Oversight Program |
| | (U) Nothing to report. |
| | 4. (U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes |
| | (U) Nothing to report. |
| | 5. (U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or matters related to Intelligence Oversight Programs |
| | (U) Nothing to report. |
| | |